

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): ASAKI, Tetsuo, et al.

Examiner: TBD

US Application No. 10/584,829

Group Art Unit: TBD

Filing Date: June 26, 2006

Confirmation No. 4964

For: Amide Derivative and Medicine

**REQUEST FOR CORRECTION OF APPLICATION FILING DATE  
AND WITHDRAWAL OF NOTICE OF ABANDONMENT**

Commissioner for Patents

PO Box 1450

Alexandria Virginia 22313 1450

Sir:

Applicants request the correction of the filing date for the above-identified application. The correct filing date for the application is **June 26, 2006**, which is the date that the filing papers were submitted with the United States Postal Service. As support for this request, attached is a copy of: 1) Certificate of Mailing by Express Mail; 2) Form PTO-1390 transmitting the application to the USPTO; and 3) Express Mail Airbill No. EV559713892US, which includes the US Postal Service Stamp confirming receipt of the application papers on June 26, 2006.

Examiner Alvarado is thanked for clarifying that the Notice of Abandonment was issued as a result of the error in the filing date. Upon correction of the filing date, it will be apparent that the application was filed within the 30 month deadline for entering PCT/JP2004/019553 into national phase in the United States. Therefore, it is requested that the Notice of Abandonment be withdrawn and the application reinstated. Applicants also request that the US Patent Office expedite the issuance of a filing receipt for the application.

It is believed that no fee is required for the correction of the filing date and reinstatement of the application. However, if a fee is due, the Commissioner is authorized to charge any additional fees or credit overpayments to Dreier LLP Account No. 50-4026.

Dated: November 30, 2007

I hereby certify that the correspondence attached herewith is being transmitted electronically to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

Michelle D. Ekanemesang

November 30, 2007  
Date**Customer Number: 61834**

Respectively submitted,



Gerard F. Diebner  
Reg. No. 31,345

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): ASAKI, et al.

Docket Number

44342-025000

Serial No.  
not yet knownFiling Date  
herewithExaminer  
not yet knownGroup Art Unit  
not yet known

Invention: AMIDE DERIVATIVE AND MEDICINE

**I hereby certify that the following correspondence:**

Transmittal Form PTO 1390; Copy of International Application No. PCT/JP2004/019553 including English ISR; Specification (177 pages); Abstract (1 page); Information Disclosure Citation (13) references cited; Unsigned Declaration/Power of Attorney; Typescript copy of the Request in Japanese as filed; Certificate of Express Mail; Postcard Receipt.

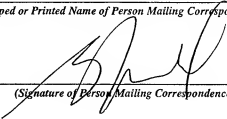
*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 26, 2006

*(Date)*

Shoba Jaglal-Gruillon

*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*

EV 559713892US

*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

<b>TRANSMITTAL LETTER TO THE UNITED STATES                  DESIGNATED/ELECTED OFFICE (DO/EO/US)                  CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <u>44742-025000</u> U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/JP2004/019553	INTERNATIONAL FILING DATE 27 December 2004	PRIORITY DATE CLAIMED 25 December 2003
TITLE OF INVENTION <b>AMIDE DERIVATIVE AND MEDICINE</b>		
APPLICANT(S) FOR DO/EO/US <b>ASAKI Tetsuo, SUGIYAMA Yukiteru, SEGAWA Jun and SHIMIZU Naoto</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13/er.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. PCT/JP2004/019553	ATTORNEY'S DOCKET NUMBER 44342_025000
20. Other items or information: Typescript copy of the Request of the International Application in Japanese as filed.		
The following fees have been submitted		CALCULATIONS      PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300		\$ 300
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))		
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0		
All other situations..... \$200		200
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))		
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0		
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100		
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400		400
All other situations..... \$500		
<b>TOTAL OF 21, 22 and 23 =</b>		900
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
- 100 =	/50 =	x \$250
		\$
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		
		\$
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	18 - 20 =	0
Independent claims	1 - 3 =	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360
		\$ 360
<b>TOTAL OF ABOVE CALCULATIONS =</b>		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by %.		
<b>SUBTOTAL =</b>		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		
<b>TOTAL NATIONAL FEE =</b>		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		
<b>TOTAL FEES ENCLOSED =</b>		
		\$ 1260
		Amount to be refunded:
		\$
		Amount to be charged
		\$


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 50-1561 in the amount of \$ 1260 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1561. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Gerard F. Diebner  
GREENBERG TRAURIG  
200 Park Avenue,  
New York, NY 10166

  
\_\_\_\_\_  
SIGNATURE  
Gerard F. Diebner  
\_\_\_\_\_  
NAME  
31,345  
\_\_\_\_\_  
REGISTRATION NUMBER

